

COMMITTEE AMENDMENT FORM

DATE: 08/01/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-0637 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING TEN (10) CONDITIONS OF WHICH ONE IS A SITE PLAN MARKED RECEIVED BY THE BUREAU OF PLANNING 7/05/07.

AMENDMENT DONE BY COUNCIL STAFF 08/01/07

City Council
Atlanta, Georgia

07-0-0637
U-07-06/U-00-34

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16.07.005 (1)(l) and Section 16.08.005 (1)(k) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **PRIVATE SCHOOL**, is hereby approved. Property is located at **321-361 Tenth Street, N.E.** Said use is granted to THE CHILDREN'S SCHOOL, INC. to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 54, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

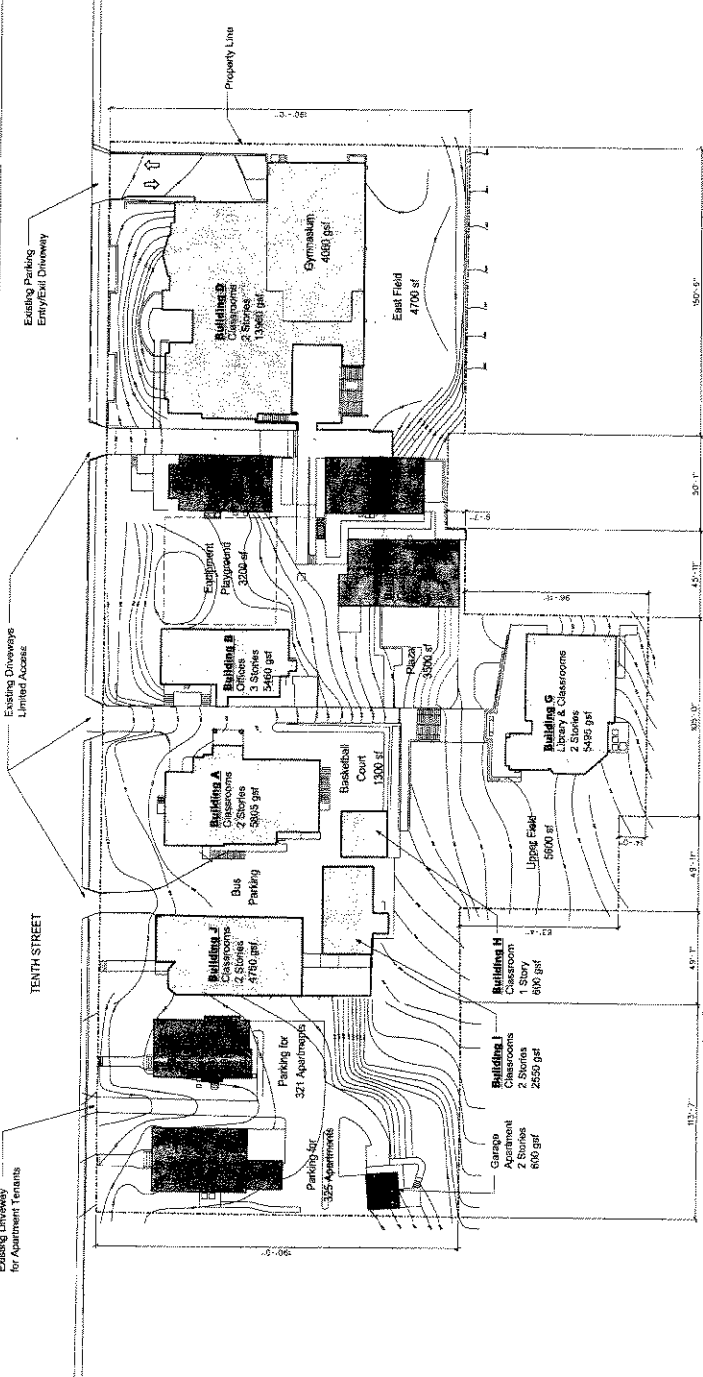
SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR U-07-06 for 321-361 Tenth Street, N.E.

1. The revised site plan prepared by Lord, Aeck & Sargent Architecture, dated June 28, 2007 and the revised legal description, received by the Bureau of Planning on July 5, 2007.
2. The Children's School shall not include in the SUP application and shall divest itself of real property located at 321 Tenth Street following the approval of the SUP. For purposes of this condition, "divest" shall mean conveying in a bona fide sale for value to a disinterested third party. TCS shall not thereafter re-acquire the divested property located at 321 Tenth Street nor shall the property be resubmitted for consideration as part of the campus of The Children's School or any successor in interest thereto.
3. The Children's School shall limit its total full-time student enrollment for all current and future grades to 450 students. Upon written request, The Children's School shall annually provide the Midtown Neighbors' Association the number of students enrolled for that particular school year.
4. The Children's School shall move the beginning of its pick-up/drop-off queue to the easternmost boundary of its property.
5. The Children's School shall retain on all days school is in session an off-duty police officer to be located between the western boundary of the school and the end of the queue whose specific duties are to prevent the blocking of driveways on Tenth Street and the intersection of Tenth Street and Argonne Avenue.
6. At the time of construction of proposed Building E, The Children's School shall sound baffle the existing air conditioning units on Building D as well as any new air conditioning units on new buildings that are close to the rear boundary line either by relocating them or enclosing them in sound baffle material.
7. The Children's School shall install obscure windows on the second and third floors of the western side of proposed Buildings K and L, located at 325 Tenth Street, so as to provide privacy for the adjacent residential properties.
8. The Children's School shall move all drumming practice inside the new theater once it is completed so as to mitigate noise impacts on adjacent neighbors.
9. Prior to receiving a certificate of occupancy on any new building constructed pursuant to the SUP, The Children's School shall plant Italian Cypress trees a minimum size of 5 feet in height a minimum distance of 3 feet on center along the entire southern boundary lines of the Children's School property. The Children's School shall be responsible for the maintenance and health of the required trees, and shall be required to replace within six weeks any trees that a certified arborist determine are dead.
10. Bus parking on the parking and maintenance access drive shown on the site plan adjacent to proposed Building L shall be limited to two buses that may only be parked on the drive temporarily during construction activity which impacts the designated bus parking areas on the eastern side of the campus.

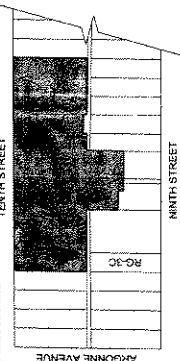
U-07-06

PIEDMONT PARK

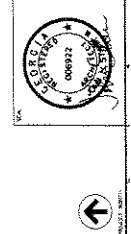


Note: Property boundary dimensions are nonlinear and rounded to the nearest inch. See property boundary survey for metes and bounds.

ZONING DIAGRAM
Reference The Official City of Atlanta Zoning Map sheet 17-54
All properties shown are zoned R-5 unless noted otherwise.



The Children's School
Campus Masterplan
As Built Site Plan
Architect: LORD, AECK & SARGENT
3/12/07
250004-00
A001



LEGEND
Existing building to remain
Existing building to be removed for future improvements
Note: Construction of future improvements may be phased.

SHEET SPECIFIC NOTES

GENERAL NOTES

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 54 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the easterly right of way of Argonne Avenue and the southerly right of way of Tenth Street; Thence 200.00 feet east along the southerly right of way of Tenth Street to an iron pipe found and being the TRUE POINT OF BEGINNING;

THENCE proceeding along the southerly right of way of Tenth Street the following courses and distances:

North 89 degrees 36 minutes 44 seconds East for a distance of 116.11 feet to a point;

THENCE South 88 degrees 58 minutes 18 seconds East for a distance of 73.43 feet to a point;

THENCE North 89 degrees 50 minutes 30 seconds East for a distance of 74.90 feet to a point;

THENCE South 89 degrees 34 minutes 26 seconds East for a distance of 100.07 feet to a point;

THENCE South 89 degrees 12 minutes 30 seconds East for a distance of 49.78 feet to a point;

THENCE North 89 degrees 57 minutes 41 seconds East for a distance of 150.22 feet to a point at a wall, (total Tenth Street frontage distance 564.51 feet);

THENCE South 00 degrees 23 minutes 07 seconds West for a distance of 190.88 feet to an iron pin found;

THENCE North 89 degrees 08 minutes 35 seconds West for a distance of 150.52 feet to an iron pin found;

THENCE North 00 degrees 28 minutes 30 seconds East for a distance of 8.53 feet to a point;

THENCE North 89 degrees 12 minutes 34 seconds West for a distance of 50.00 feet to a point;

THENCE South 01 degrees 02 minutes 09 seconds West for a distance of 9.60 feet to a point at telephone pole;

THENCE North 89 degrees 52 minutes 57 seconds West for a distance of 45.35 feet to an iron pin set;

THENCE South 00 degrees 19 minutes 44 seconds West for a distance of 9.55 feet to a point;

THENCE South 00 degrees 19 minutes 44 seconds West for a distance of 87.34 feet to an iron pin found at fence corner;

THENCE North 89 degrees 38 minutes 37 seconds West for a distance of 105.00 feet to an iron pin found;

THENCE North 00 degrees 24 minutes 12 seconds East for a distance of 13.97 feet to a point;

THENCE North 89 degrees 54 minutes 45 seconds West for a distance of 50.00 feet to an iron pin found;

THENCE North 00 degrees 18 minutes 54 seconds East for a distance of 73.00 feet to a tall iron;

THENCE North 00 degrees 19 minutes 11 seconds East for a distance of 10.37 feet to an iron pin set;

THENCE South 89 degrees 28 minutes 24 seconds West for a distance of 49.00 feet to a point;

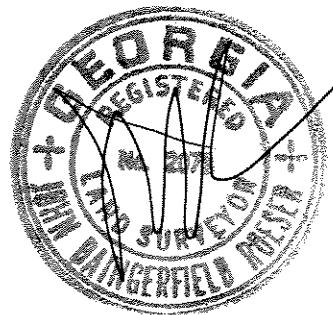
THENCE North 89 degrees 59 minutes 43 seconds West for a distance of 115.09 feet to a crimp top iron found;

THENCE North 00 degrees 33 minutes 14 seconds East for a distance of 189.84 feet to THE TRUE POINT OF BEGINNING;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 2.78 acres more or less.

*file: 1763-40 legal
The Children School
Prepared by Roeser Consultants, Inc.
John Roeser, Georgia Land Surveyor No. 2073
February 8, 2007*



RCS# 1104
4/16/07
2:57 PM

Atlanta City Council

REGULAR SESSION

0637

MULTIPLE

07-O-0602, 0571, 0599, 0626-0638, 0642

REFER ZRB/ZONE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	E Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE